

REMARKS

This Amendment is submitted in reply to the final Office action dated June 18, 2010. The Office Action provided a three-month shortened statutory period in which to respond, ending on September 18, 2010. Accordingly, this Amendment is timely submitted. No fees are believed due with this Amendment. The Director is authorized to charge any fees that may be required, or to credit any overpayment to Deposit Account No. 50-4498 in the name of Nestle Nutrition.

Claims 12, 13, 16-21, 24 and 27-31 are currently pending. Claims 1-11, 14-15, 22-23 and 25-26 were previously cancelled without prejudice or disclaimer, and Claim 27 was previously withdrawn from consideration. The Examiner states that Claims 12, 13, 16-21, 24 and 28-30 are allowable. The Examiner also states that Claim 31 is rejected under 35 U.S.C. §103. Therefore, Applicant has cancelled Claims 27 and 31 in this Amendment.

For the foregoing reasons, Applicant respectfully requests reconsideration of the above-identified patent application and earnestly requests an early allowance of the same. In the event there remains any impediment to allowance of the claims which could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate such an interview with the undersigned.

Respectfully submitted,

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